

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.16176 OF 2005

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DATED: 02.11.2007

Between:

Smt Shaik Mahabub Bee and
another

.. Petitioners

And

The A.P. Transco, rep. by its
C.M.D., Vidyut Soudha,
Somajiguda, Hyderabad and
others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.16176 OF 2005

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not appointing the 2nd petitioner to any suitable post on compassionate grounds as illegal, arbitrary and violative of principles of natural justice.

It appears, the husband of the 1st petitioner and father of the 2nd petitioner died in harness in the year 1982, while working as Lineman in the respondent Corporation. At the time of death of his father, the 2nd petitioner was aged about 5 years only. Therefore, the 1st petitioner waited till her son - the 2nd petitioner attained majority and then made a representation to the respondents, in the year 2000, to provide any suitable post to her son on compassionate grounds. The Executive Engineer, TLC Division, A.P. Transco, Warangal, forwarded the said representation filed by the 1st petitioner to the 2nd respondent - Superintending Engineer for consideration. However, it appears, as per the Board Orders, the 2nd petitioner was declared not eligible for appointment on compassionate grounds, as the application was received after a lapse of 18 years of the death of the deceased employee.

I am of the opinion that there is no illegality on the part of the

respondents in rejecting the case of the 2nd petitioner for appointment on compassionate grounds. It was made clear by the Executive Engineer in his letter addressed to the 1st petitioner informing about the rejection of the case of her son that, as per the Board Orders, the application seeking appointment on compassionate grounds has to be filed within one year from the date of death of the deceased employee. But, in the instant case, the application was filed after a lapse of 18 years of the death of the deceased. Therefore, the action of the respondents in denying appointment to the 2nd petitioner on compassionate grounds cannot be said to be either arbitrary or illegal. The writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

**C.V.RAMULU,
J**

2nd November, 2007
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